IN THE HIGH COURT OF UTTARTANCHAL AT NAINITAL.
ORIGINAL JURISDICTION

On this 28th day of May 2004
Criminal Bail Application No. 324 of 2004

Order on the bail application of the accused.

Criminal Side

1-Ashok Kumar
2-Arjun
both sons of Biram Singh
R/o village Bindu Kharak
P.S. Jhabrera
District Haridwar -- Applicants.

Vs.

State of Uttaranchal --- Respondent.

Arising out of crime No. 77/2003
U/S 302 I.P.C.
P.S. Jhabrera
District Haridwar.

By the court

Hon'ble Irshad Hussain, J.

Heard Sri S.P.S. Panwar learned counsel for the applicanta and learned A.G.A. and perused the record.

Accused-applicants were not named in the F.I.R. As is evident from the version of the F.I.R. and the material collected there is neither at this stage direct evidence or nor circumstantial evidence except the mere alleged recovery of weapon of assault under section 27 of the Evidence Act. Considering the facts and the circumstances of the case it is a fit case for bail.

The applicant-accused Ashok Kumar and Arjun shall be released in crime no. 77/2003, under section 302 I.P.C., P.S. Jhabrera, District Haridwar on their executing a personal bond each and two sureties each in the like amount to the satisfaction of Judicial Magistrate, Roorkee.

(Irshad Hussain, J.)

Dt: 28.5.2004.

ISB